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**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

ERIC HERSHLER, on behalf of himself and
 all others similarly situated

CASE NUMBER

2:10-cv-00318-GW-FMO

v.

Plaintiff(s)

Sprint Nextel Corporation, et. al.

**NOTICE OF DISMISSAL PURSUANT
 RULE 41(a) or (c) F.R.Civ.P.**

Defendant(s)

PLEASE TAKE NOTICE: (*Check one*)

This action is dismissed by the Plaintiff(s) in its entirety.

The Counterclaim brought by Claimant(s) _____ is
 dismissed by Claimant(s) in its entirety.


The Cross-Claim brought by Claimants(s) _____ is
 dismissed by the Claimant(s) in its entirety.

The Third-party Claim brought by Claimant(s) _____ is
 dismissed by the Claimant(s) in its entirety.

☒ **ONLY** Defendant(s) 1) Sprint Nextel Corporation; 2) Nextel Systems Corporation dba Nextel Leasing
Systems Corporation; 3) Nextel Operations, Inc.; and 4) Sprint Communications Company, Inc.
 is/are dismissed from (*check one*) ☒ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party
 Claim brought by Plaintiff, without prejudice

The dismissal is made pursuant to Rule 41(a) or (c) of the Federal Rules of Civil Procedure.

February 17, 2010
 Date


 Signature of Attorney/Party
 Heather M. Peterson, Attorneys for Plaintiff

NOTE: F.R.Civ.P. 41(a): This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.

F.R.Civ.P. 41(c): Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.